

BEFORE THE BOARD OF LAND COMMISSIONERS AND
THE DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION OF THE STATE OF MONTANA

In the matter of the amendment of) CORRECTED NOTICE OF
ARM 36.25.301, 36.25.303,) AMENDMENT
36.25.304, 36.25.310, 36.25.315, and)
36.25.321 regarding coal leasing)
rules)

To: All Concerned Persons

1. On May 8, 2008, the Department of Natural Resources and Conservation published MAR Notice No. 36-22-127 pertaining to the public hearing on the proposed amendment of the above-stated rules at page 900 of the 2008 Montana Administrative Register, Issue Number 9. On June 26, 2008, the department published the notice of amendment at page 1319 of the 2008 Montana Administrative Register, Issue Number 12.

2. This corrected notice of amendment is being published to correct the typographical error in which the words "county" and "countries" were inadvertently used in the proposal notice instead of the correct "county" and "counties". The versions of the amendments that went before the Board of Land Commissioners for preliminary and final approval, respectively, on April 11, 2008, and June 16, 2008, contained the correct text. The rule, as amended in corrected form, reads as follows, deleted matter interlined, new matter underlined:

36.25.304 PROCEDURES FOR ISSUE OF LEASE

(1) through (5) remain as amended.

(6) When sufficient applications have been received to warrant a sale, or at the director's discretion, a lease sale will be announced.

(a) Notice of a lease sale shall be posted on the department's web site and published in a trade journal of general circulation in the coal mining industry or in the major newspapers of general circulation within Montana each week for four weeks preceding the date of sale. The notice shall identify the ~~country~~ county or ~~countries~~ counties within which tracts are being offered for lease, state the date of the lease sale, provide instructions on how to obtain detailed information from the department on the specific tracts to be offered, and the bidding requirements and procedures.

(6)(b) through (12) remain as amended.

AUTH: 77-3-303, MCA

IMP: 77-3-303, 77-3-312, MCA

3. The replacement pages for this corrected notice were submitted to the Secretary of State on June 30, 2008.

/s/ Mary Sexton
MARY SEXTON
Director
Natural Resources and Conservation

/s/ Tommy H. Butler
TOMMY H. BUTLER
Rule Reviewer

Certified to the Secretary of State July 7, 2008.